

AMENDED IN ASSEMBLY JUNE 29, 2009

AMENDED IN SENATE MAY 28, 2009

AMENDED IN SENATE APRIL 30, 2009

AMENDED IN SENATE APRIL 22, 2009

AMENDED IN SENATE APRIL 2, 2009

## SENATE BILL

**No. 261**

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**Introduced by Senators Dutton and Ducheny**  
**(Coauthors: Senators Calderon, Correa, Hollingsworth, and Padilla)**

February 24, 2009

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~~An act to amend Section 10631 of, and to add Chapter 5 (commencing with Section 10660) to Part 2.6 of Division 6 of, the Water Code, An act to amend Sections 10004.5, 10631, 10814, and 10816 of, to add Section 10817 to, to add Chapter 5 (commencing with Section 10660) to Part 2.6 of Division 6 of, to repeal Section 10802 of, to repeal and add Sections 10801, 10813, 10840, 10841, 10844, 10845, 10853, 10854, and 10855 of, and to repeal and add Article 1 (commencing with Section 10820) and Article 2 (commencing with Section 10825) of Chapter 3 of Part 2.8 of Division 6 of, the Water Code, relating to water use.~~

### LEGISLATIVE COUNSEL'S DIGEST

SB 261, as amended, Dutton. ~~Water-use.~~ *use: water management plans.*

(1) Existing law requires the Department of Water Resources to convene an independent technical panel to provide information to the department and the Legislature on new demand management measures, technologies, and approaches. "Demand management measures" means those water conservation measures, programs, and incentives that

prevent the waste of water and promote the reasonable and efficient use and reuse of available supplies. Existing law requires urban water suppliers to prepare and adopt urban water management plans with specified components.

This bill would require ~~an a retail urban water supplier, as defined, to develop and implement a water use efficiency and efficient water resources management plan to reduce residential potable water use in a specified manner an urban water conservation plan, including prescribed components, or achieve extraordinary water use efficiency high-efficiency water use, as defined. The bill would impose various requirements for the contents of these plans, and would require an retail urban water supplier to update its water conservation plan on a specified schedule. The retail urban water supplier or the regional water management group, as applicable, would be required to report its submit reports for purposes of determining progress towards achieving a prescribed water use efficiency and efficient water resources management target in specified documents~~ *water conservation goal.*

*The bill would require specified competitive grant and loan programs to provide financial incentives to retail urban water suppliers to support water use efficiency and local water resources management measures.*

~~The bill would enact the Comprehensive Urban Water Efficiency Act of 2009. The bill also would require the board and the department, not later than April 1, 2010, would be required to convene a task force to develop best management practices for commercial, industrial, and institutional water uses for the purpose of achieving a specified reduction in water use by 2020.~~

*(2) The Agricultural Water Management Planning Act, until January 1, 1993, and thereafter only as specified, requires certain agricultural water suppliers to prepare and adopt water management plans.*

*This bill would substantially revise the act to require an agricultural water supplier, as defined, to prepare and adopt an agricultural water management plan with specified components on or before December 31, 2012, and update that plan every 5 years, as specified. An entity, as defined, that becomes an agricultural water supplier after December 31, 2012, would be required to prepare and adopt an agricultural water management plan within 2 years after becoming an agricultural water supplier. The bill would require an agricultural water supplier to submit copies of the plan, or provide a specified written notice, to the department and other specified entities. The bill would provide that an agricultural water supplier is ineligible to receive specified state funds*

*if the supplier does not prepare, adopt, and submit the plan in accordance with the requirements established by the bill.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 10004.5 of the Water Code is amended*  
2 *to read:*

3     10004.5. (a) As part of the requirement of the department to  
4 update ~~The the~~ California Water Plan pursuant to subdivision (b)  
5 of Section 10004, the department shall include in the plan a  
6 discussion of ~~various~~ *all of the following:*

7     (1) *Various* strategies, including, but not limited to, those  
8 relating to the development of new water storage facilities, water  
9 conservation, water recycling, desalination, conjunctive use, and  
10 water transfers that may be pursued in order to meet the future  
11 water needs of the state. ~~The department shall also include a~~  
12 ~~discussion of the~~

13     (2) *The* potential for alternative water pricing policies to change  
14 current and projected uses. ~~The department shall include in the~~  
15 ~~plan a discussion of the~~

16     (3) *The* potential advantages and disadvantages of each strategy  
17 and an identification of all federal and state permits, approvals, or  
18 entitlements that are anticipated to be required in order to  
19 implement the various components of the strategy.

20     (b) (1) *As part of the requirement of the department to update*  
21 *the California Water Plan pursuant to subdivision (b) of Section*  
22 *10004, the department shall include in the plan a strategy for the*  
23 *use and application of agricultural water use efficiency*  
24 *management programs and practices that achieve the reduction*  
25 *and reuse of applied water and the reduction or elimination of the*  
26 *quantity of irrecoverable water that flows to salt sinks.*

27     (2) *The strategy may include, but shall not be limited to, a*  
28 *presentation of the costs and benefits of the efficiency*  
29 *improvements in on-farm distribution systems. The department*  
30 *shall consult with the Agricultural Water Management Council,*  
31 *academic experts, and other stakeholders in the development of*  
32 *the strategy for the use and application of agricultural water use*  
33 *efficiency management programs and practices.*

1     (3) *The information required pursuant to this subdivision shall*  
2     *be based, in part on a review of agricultural water management*  
3     *plans submitted to the department pursuant to Part 2.8*  
4     *(commencing with Section 10800).*

5     ~~SECTION 1.~~

6     SEC. 2. Section 10631 of the Water Code is amended to read:

7     10631. A plan shall be adopted in accordance with this chapter  
8     and shall do all of the following:

9     (a) Describe the service area of the supplier, including current  
10    and projected population, climate, and other demographic factors  
11    affecting the supplier's water management planning. The projected  
12    population estimates shall be based upon data from the state,  
13    regional, or local service agency population projections within the  
14    service area of the urban water supplier and shall be in five-year  
15    increments to 20 years or as far as data is available.

16    (b) Identify and quantify, to the extent practicable, the existing  
17    and planned sources of water available to the supplier over the  
18    same five-year increments described in subdivision (a). If  
19    groundwater is identified as an existing or planned source of water  
20    available to the supplier, all of the following information shall be  
21    included in the plan:

22    (1) A copy of any groundwater management plan adopted by  
23    the urban water supplier, including plans adopted pursuant to Part  
24    2.75 (commencing with Section 10750), or any other specific  
25    authorization for groundwater management.

26    (2) A description of any groundwater basin or basins from which  
27    the urban water supplier pumps groundwater. For those basins for  
28    which a court or the board has adjudicated the rights to pump  
29    groundwater, a copy of the order or decree adopted by the court  
30    or the board and a description of the amount of groundwater the  
31    urban water supplier has the legal right to pump under the order  
32    or decree. For basins that have not been adjudicated, information  
33    as to whether the department has identified the basin or basins as  
34    overdrafted or has projected that the basin will become overdrafted  
35    if present management conditions continue, in the most current  
36    official departmental bulletin that characterizes the condition of  
37    the groundwater basin, and a detailed description of the efforts  
38    being undertaken by the urban water supplier to eliminate the  
39    long-term overdraft condition.

1 (3) A detailed description and analysis of the location, amount,  
2 and sufficiency of groundwater pumped by the urban water supplier  
3 for the past five years. The description and analysis shall be based  
4 on information that is reasonably available, including, but not  
5 limited to, historic use records.

6 (4) A detailed description and analysis of the amount and  
7 location of groundwater that is projected to be pumped by the  
8 urban water supplier. The description and analysis shall be based  
9 on information that is reasonably available, including, but not  
10 limited to, historic use records.

11 (c) (1) Describe the reliability of the water supply and  
12 vulnerability to seasonal or climatic shortage, to the extent  
13 practicable, and provide data for each of the following:

14 (A) An average water year.

15 (B) A single dry water year.

16 (C) Multiple dry water years.

17 (2) For any water source that may not be available at a consistent  
18 level of use, given specific legal, environmental, water quality, or  
19 climatic factors, describe plans to supplement or replace that source  
20 with alternative sources or water demand management measures,  
21 to the extent practicable.

22 (d) Describe the opportunities for exchanges or transfers of  
23 water on a short-term or long-term basis.

24 (e) (1) Quantify, to the extent records are available, past and  
25 current water use, over the same five-year increments described  
26 in subdivision (a), and projected water use, identifying the uses  
27 among water use sectors, including, but not necessarily limited to,  
28 all of the following uses:

29 (A) Single-family residential.

30 (B) Multifamily.

31 (C) Commercial.

32 (D) Industrial.

33 (E) Institutional and governmental.

34 (F) Landscape.

35 (G) Sales to other agencies.

36 (H) Saline water intrusion barriers, groundwater recharge, or  
37 conjunctive use, or any combination thereof.

38 (I) Agricultural.

39 (2) The water use projections shall be in the same five-year  
40 increments described in subdivision (a).

(f) Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:

(A) Water survey programs for single-family residential and multifamily residential customers.

(B) Residential plumbing retrofit.

(C) System water audits, leak detection, and repair.

(D) Metering with commodity rates for all new connections and retrofit of existing connections.

(E) Large landscape conservation programs and incentives.

(F) High-efficiency washing machine rebate programs.

(G) Public information programs.

(H) School education programs.

(I) Conservation programs for commercial, industrial, and institutional accounts.

(J) Wholesale agency programs.

(K) Conservation pricing.

(L) Water conservation coordinator.

(M) Water waste prohibition.

(N) Residential ultra-low-flush toilet replacement programs.

(2) A schedule of implementation for all water demand management measures proposed or described in the plan.

(3) A description of the methods, if any, that the supplier will use to evaluate the effectiveness of water demand management measures implemented or described under the plan.

(4) An estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the supplier's ability to further reduce demand.

(g) An evaluation of each water demand management measure listed in paragraph (1) of subdivision (f) that is not currently being implemented or scheduled for implementation. In the course of the evaluation, first consideration shall be given to water demand management measures, or combination of measures, that offer lower incremental costs than expanded or additional water supplies.

This evaluation shall do all of the following:

1 (1) Take into account economic and noneconomic factors,  
2 including environmental, social, health, customer impact, and  
3 technological factors.

4 (2) Include a cost-benefit analysis, identifying total benefits and  
5 total costs.

6 (3) Include a description of funding available to implement any  
7 planned water supply project that would provide water at a higher  
8 unit cost.

9 (4) Include a description of the water supplier's legal authority  
10 to implement the measure and efforts to work with other relevant  
11 agencies to ensure the implementation of the measure and to share  
12 the cost of implementation.

13 (h) Include a description of all water supply projects and water  
14 supply programs that may be undertaken by the urban water  
15 supplier to meet the total projected water use as established  
16 pursuant to subdivision (a) of Section 10635. The urban water  
17 supplier shall include a detailed description of expected future  
18 projects and programs, other than the demand management  
19 programs identified pursuant to paragraph (1) of subdivision (f),  
20 that the urban water supplier may implement to increase the amount  
21 of the water supply available to the urban water supplier in average,  
22 single dry, and multiple dry water years. The description shall  
23 identify specific projects and include a description of the increase  
24 in water supply that is expected to be available from each project.  
25 The description shall include an estimate with regard to the  
26 implementation timeline for each project or program.

27 (i) Describe the opportunities for development of desalinated  
28 water, including, but not limited to, ocean water, brackish water,  
29 and groundwater, as a long-term supply.

30 (j) Urban water suppliers that are members of the California  
31 Urban Water Conservation Council and submit annual reports to  
32 that council in accordance with the "Memorandum of  
33 Understanding Regarding Urban Water Conservation in  
34 California," dated September 1991, may submit the annual reports  
35 identifying water demand management measures currently being  
36 implemented, or scheduled for implementation, to satisfy the  
37 requirements of subdivisions (f), (g), and (l).

38 (k) Urban water suppliers that rely upon a wholesale agency for  
39 a source of water shall provide the wholesale agency with water  
40 use projections from that agency for that source of water in

1 five-year increments to 20 years or as far as data is available. The  
2 wholesale agency shall provide information to the urban water  
3 supplier for inclusion in the urban water supplier's plan that  
4 identifies and quantifies, to the extent practicable, the existing and  
5 planned sources of water as required by subdivision (b), available  
6 from the wholesale agency to the urban water supplier over the  
7 same five-year increments, and during various water-year types  
8 in accordance with subdivision (c). An urban water supplier may  
9 rely upon water supply information provided by the wholesale  
10 agency in fulfilling the plan informational requirements of  
11 subdivisions (b) and (c).

12 ~~(f) (1) Each urban water supplier or, upon resolution of its~~  
13 ~~governing board submitted to the department, each regional water~~  
14 ~~management group acting on behalf of the urban water suppliers~~  
15 ~~within the group's boundaries, shall develop and implement a~~  
16 ~~water use efficiency and efficient water resources management~~  
17 ~~plan unless that urban water supplier engages in extraordinary~~  
18 ~~water use efficiency as defined in subdivision (d) of Section 10663.~~

19 ~~(2) A water use efficiency and efficient water resources~~  
20 ~~management plan shall accomplish one or both of the following:~~

21 ~~(A) Reduce total residential potable water use by 2020 by a total~~  
22 ~~of 20 percent as compared to the 2020 projection in the agency's~~  
23 ~~2005 urban water management plan, which reduction shall include~~  
24 ~~water conservation measures already included in the 2005 urban~~  
25 ~~water management plan.~~

26 ~~(B) Achieve, by 2020, extraordinary water use efficiency as~~  
27 ~~defined in subdivision (d) of Section 10663.~~

28 ~~(3) The plan shall include interim milestones for each~~  
29 ~~even-numbered year for progress towards achieving the 2020 water~~  
30 ~~use efficiency and efficient water resources management target as~~  
31 ~~required by paragraph (2).~~

32 ~~(4) Every two years, each reporting agency shall report its~~  
33 ~~progress toward reaching the 2020 water use efficiency and~~  
34 ~~efficient water resources management target. The reporting agency~~  
35 ~~shall include in the report, and in its urban water management plan~~  
36 ~~or its report to the California Urban Water Conservation Council,~~  
37 ~~the following information:~~

38 ~~(A) The data included in the department's form 38 entitled~~  
39 ~~"Public Water System Statistics."~~



1 ~~(B) The total population within the urban water supplier's~~  
2 ~~service area, as determined by the United States Census Bureau.~~

3 ~~(C) The total quantities of stormwater, recycled water, treated~~  
4 ~~groundwater, desalinated seawater, water previously used within~~  
5 ~~the watershed, and other alternative sources of water that are~~  
6 ~~delivered to customers or stored either in surface reservoirs or~~  
7 ~~underground for future use.~~

8 ~~(D) Assuming not more than 70 gallons per capita per day of~~  
9 ~~indoor water use, the estimated quantity of water used for outdoor~~  
10 ~~landscape irrigation expressed as a percentage of reference~~  
11 ~~evapotranspiration for the urban water supplier's service area based~~  
12 ~~on historic CIMIS data as outlined in the state's model water~~  
13 ~~efficient landscape ordinance.~~

14 ~~(5) Each reporting agency may evaluate progress in~~  
15 ~~implementing the plan by using the metrics it considers to be most~~  
16 ~~appropriate for its circumstances. In calculating progress towards~~  
17 ~~the 2020 water use efficiency and efficient water resources~~  
18 ~~management target, an urban water supplier may offset its use of~~  
19 ~~potable water by the quantities of water used as part of efficient~~  
20 ~~water resources management as defined in subdivision (c) of~~  
21 ~~Section 10663.~~

22 ~~(6) The 2020 water use efficiency and efficient water resources~~  
23 ~~management target shall replace previous qualification standards~~  
24 ~~related to meeting water conservation requirements.~~

25 ~~(7) If an urban water supplier fails to meet an interim milestone~~  
26 ~~identified in its plan, it shall report its failure to the department on~~  
27 ~~the following March 1. The urban water supplier, within 90 days~~  
28 ~~thereafter, shall submit a plan to the department to meet the next~~  
29 ~~interim milestone. If the urban water supplier fails to meet that~~  
30 ~~interim milestone, it shall be subject to a penalty of 20 percent of~~  
31 ~~available points in any competitive grant or loan program awarded~~  
32 ~~or administered by the department, the board, or the California~~  
33 ~~Bay-Delta Authority until the urban water supplier satisfies an~~  
34 ~~interim milestone in a timely manner, provided that the urban water~~  
35 ~~supplier shall have a minimum of two years from the date on which~~  
36 ~~it submits the plan to the department to meet the next interim~~  
37 ~~milestone.~~

38 ~~(l) Each retail urban water supplier, as defined in Section 10661,~~  
39 ~~shall develop and implement an urban water conservation plan in~~  
40 ~~accordance with Chapter 5 (commencing with Section 10660).~~

1     ~~SEC. 2.~~

2     ~~SEC. 3.~~ Chapter 5 (commencing with Section 10660) is added  
3 to Part 2.6 of Division 6 of the Water Code, to read:

4  
5                   CHAPTER 5. URBAN WATER EFFICIENCY

6  
7     ~~10660. This chapter shall be known and may be cited as the~~  
8 ~~Comprehensive Urban Water Efficiency Act of 2009.~~

9     ~~10661. In enacting this chapter, the Legislature intends to~~  
10 ~~accomplish all of the following purposes:~~

11     ~~(a) To increase urban and residential water use efficiency and~~  
12 ~~efficient water resources management in California in order to~~  
13 ~~improve water supply reliability in light of periodic drought and~~  
14 ~~population growth.~~

15     ~~(b) To encourage the efficient use of local sources of water,~~  
16 ~~such as stormwater, recycled water, desalinated water, or treated~~  
17 ~~water that can either be substituted for potable water or blended~~  
18 ~~as part of municipal and industrial water supplies, and to increase~~  
19 ~~multiple uses of water within the same watershed.~~

20     ~~(c) To increase water use efficiency and efficient water resources~~  
21 ~~management in California to contribute to sustainable job growth~~  
22 ~~and a vibrant economy for the 21st century.~~

23     ~~10662. The Legislature hereby finds and declares all of the~~  
24 ~~following:~~

25     ~~(a) California's growing population, periodic and serious drought~~  
26 ~~conditions, and the need to protect California's fish and wildlife~~  
27 ~~resources require that Californians adopt reasonable water~~  
28 ~~efficiency measures that improve water supply reliability.~~

29     ~~(b) Efficient water use includes the development of alternative~~  
30 ~~local sources of water supplies, such as stormwater, recycled water,~~  
31 ~~desalinated water, and treated water, that reduce the demand for~~  
32 ~~imported water. Efficient water use also encourages multiple uses~~  
33 ~~of water within a single watershed or region.~~

34     ~~(c) Efficient water management in California requires that urban~~  
35 ~~water suppliers attempt to match water quality to the requirements~~  
36 ~~of each beneficial use.~~

37     ~~(d) The Governor's call for a 20-percent reduction in statewide,~~  
38 ~~urban per capita water use is an important component of a~~  
39 ~~comprehensive package of water management strategies necessary~~

1 to ensure sufficient water supplies for California's residential and  
2 commercial uses.

3 (e) ~~The implementation of this goal should allow for flexible~~  
4 ~~implementation that provides for the option of regional or local~~  
5 ~~implementation.~~

6 (f) ~~Existing, well-established water management planning~~  
7 ~~processes, including integrated regional water management plans,~~  
8 ~~should be utilized to provide for the most effective, cooperative,~~  
9 ~~efficient, and expedient progress toward the 20-percent statewide~~  
10 ~~goal.~~

11 (g) ~~General statutory direction to state, regional, and local~~  
12 ~~implementing agencies should allow for implementation that~~  
13 ~~reflects the need to take into account unique local factors, including~~  
14 ~~housing density and lot sizes, climatic conditions, the mix of~~  
15 ~~commercial, industrial, and institutional uses, and year-to-year~~  
16 ~~weather changes.~~

17 (h) ~~To date, statewide water conservation data are inadequate~~  
18 ~~for the purpose of assessing past and ongoing conservation efforts.~~  
19 ~~Standardized data collection and analysis will provide the best~~  
20 ~~means for tracking progress toward the statewide water~~  
21 ~~conservation goal and ensuring accountability among local and~~  
22 ~~regional agencies.~~

23 (i) ~~Goals pertaining to commercial and industrial water uses~~  
24 ~~should recognize the very different commercial and industrial uses~~  
25 ~~among regions and local agencies and should not unreasonably~~  
26 ~~combine the factors of commercial uses and population. Progress~~  
27 ~~toward commercial and industrial water conservation can best be~~  
28 ~~achieved through the development of best management practices~~  
29 ~~and local and regional engagement with local commercial and~~  
30 ~~industrial operations.~~

31 (j) ~~Any per capita water use goals should be utilized in a fair,~~  
32 ~~appropriate, and productive manner at the statewide and regional~~  
33 ~~level and should be applied in a manner that accounts for the unique~~  
34 ~~factors associated with individual agency conditions.~~

35 (k) ~~Water use efficiency and efficient water resources~~  
36 ~~management efforts should be undertaken for the purpose of~~  
37 ~~enhancing watershed sustainability.~~

38 (l) ~~Statutory revisions and administrative actions that provide~~  
39 ~~direction for the implementation of the urban water use~~

1 conservation goal should be crafted in a manner that will not affect  
2 or imperil existing water rights.

3 ~~10663. (a) Unless the context requires otherwise, the~~  
4 ~~definitions set forth in this section govern the construction of this~~  
5 ~~chapter.~~

6 ~~(b) “CIH” means the use of water in commercial, industrial, and~~  
7 ~~institutional settings.~~

8 ~~(c) “Efficient water resources management” means the use of~~  
9 ~~alternative sources of water that make the most efficient use of~~  
10 ~~potable or imported water, such as the capture of stormwater or~~  
11 ~~rainwater, the use of recycled water, the desalination of brackish~~  
12 ~~groundwater, the conjunctive use of surface water and groundwater~~  
13 ~~in a manner that is consistent with the safe yield of the groundwater~~  
14 ~~basin, the reuse of water multiple times in a watershed, provided~~  
15 ~~that the total credits for that water do not exceed the quantity of~~  
16 ~~water reused, or the matching of water quality with the needs of~~  
17 ~~a specific water use.~~

18 ~~(d) “Extraordinary water use efficiency” means residential water~~  
19 ~~use that meets both of the following criteria:~~

20 ~~(1) The use of less than 70 gallons per person per day for indoor~~  
21 ~~residential uses, or other standard for indoor residential uses that~~  
22 ~~may be adopted by the California Urban Water Conservation~~  
23 ~~Council.~~

24 ~~(2) The use of less than 70 percent of reference~~  
25 ~~evapotranspiration as determined by historic CIMIS data as~~  
26 ~~outlined in the state’s model water efficient landscape ordinance~~  
27 ~~for outdoor residential uses.~~

28 ~~(e) “Potable water” means raw water that, upon treatment~~  
29 ~~required to meet minimum safe drinking water standards, may be~~  
30 ~~delivered to retail customers for municipal and industrial uses.~~

31 ~~(f) “Regional water management group” has the same meaning~~  
32 ~~as set forth in Section 10539.~~

33 ~~(g) “Reporting agency” means either an urban water supplier~~  
34 ~~or a regional water management group acting on behalf of the~~  
35 ~~urban water suppliers within its boundaries, as authorized by~~  
36 ~~resolution of its governing board submitted to the department.~~

37 ~~(h) “Water use efficiency” means the efficient use of water as~~  
38 ~~that term is defined in Section 10613.~~

39 ~~10665. (a) The board and the department, not later than April~~  
40 ~~1, 2010, shall convene a task force consisting of experts to develop~~

1 for the CH sector best management practices that are intended to  
2 result in a statewide target of at least a 20-percent reduction in  
3 potable water use in the CH sector by 2020 as compared to  
4 statewide water use by that sector in 2005.

5 (b) The task force shall be composed of representatives of the  
6 board, the department, urban water suppliers located in all of the  
7 regions used as part of the California Water Plan task force, trade  
8 groups representing the CH sector, and environmental groups.  
9 Members of the task force shall be selected by the director, after  
10 consultation with the chairperson of the board. Operations of the  
11 task force may be funded by the participants, or by the California  
12 Urban Water Conservation Council. The task force shall submit a  
13 report to the board and the department no later than April 1, 2011.  
14 The director, after consultation with the chairperson of the board,  
15 may designate a chairperson of the task force. Any recommendation  
16 of the task force shall be endorsed by all members of the task force.

17 (c) The task force report shall include a discussion of at least  
18 the following subjects:

19 (1) Metrics that are appropriate for use in evaluating the use of  
20 water in the CH sector:

21 (2) An evaluation of the appropriate quantities of water needed  
22 for cooling in manufacturing processes:

23 (3) An evaluation of the appropriate quantities of water needed  
24 as an ingredient in manufactured goods or for use in manufacturing  
25 processes:

26 (4) The cost-effectiveness of water use efficiency and efficient  
27 water resources management measures in the CH sector:

28 (5) An evaluation of the potential use of stormwater, recycled  
29 water, treated water, desalinated water, or other alternative sources  
30 of water in the CH sector, together with appropriate credits for that  
31 use:

32 (6) An evaluation of the manner in which regional projects could  
33 provide significant supplies of stormwater, recycled water, treated  
34 water, desalinated water, or other alternative sources of water to  
35 the CH sector:

36 (7) An evaluation of the need for offsite public infrastructure  
37 to provide sufficient supplies of stormwater, recycled water, treated  
38 water, desalinated water, or other alternative sources of water to  
39 the CH sector:

1     ~~(8) The economic viability of any proposals developed by the~~  
2     ~~task force and whether these proposals would create sustainable~~  
3     ~~green collar jobs.~~

4     ~~(9) An evaluation of institutional and economic barriers to~~  
5     ~~increased water use efficiency and efficient water resources~~  
6     ~~management in the CH sector.~~

7     ~~(10) An evaluation of whether it is feasible to reduce water use~~  
8     ~~statewide in the CH sector by at least 20 percent by 2020 and, if~~  
9     ~~the reduction is feasible, whether that reduction would be in the~~  
10    ~~public interest.~~

11    ~~(11) The identification of appropriate best management practices~~  
12    ~~that should be implemented in order to achieve a feasible reduction~~  
13    ~~in water use statewide in the CH sector that is consistent with the~~  
14    ~~public interest.~~

15    ~~(d) The task force report shall also evaluate the feasibility and~~  
16    ~~cost-effectiveness of encouraging commercial, industrial, and~~  
17    ~~institutional facilities to implement best management practices~~  
18    ~~that can readily be transferred from residential settings to~~  
19    ~~commercial or institutional settings, including the use of~~  
20    ~~high-efficiency toilets, low-flow showerheads, smart irrigation~~  
21    ~~controllers, and climate-appropriate landscaping.~~

22    ~~(e) The department may enter into agreements with task force~~  
23    ~~participants or the California Urban Water Conservation Council~~  
24    ~~to fund the state's costs to carry out the duties of the task force. If~~  
25    ~~the department determines, before May 1, 2010, that revenues~~  
26    ~~pursuant to existing reimbursement agreements are insufficient to~~  
27    ~~fund those costs, the department shall impose a fee on urban water~~  
28    ~~suppliers in an amount sufficient to fund the costs.~~

29    ~~10667. This chapter shall be liberally construed to achieve its~~  
30    ~~purpose, specifically achieving the water efficiency and efficient~~  
31    ~~water resource management goal set forth in subdivision (l) of~~  
32    ~~Section 10631 in a manner that provides the greatest possible~~  
33    ~~flexibility and discretion to local agencies and that protects water~~  
34    ~~rights to the fullest extent possible.~~

35  
36                   *Article 1. Findings and Definitions*

37  
38     ~~10660. (a) The Legislature finds and declares all of the~~  
39     ~~following:~~

1     (1) California's growing population, periodic and serious  
2     drought conditions, and the need to protect California's fish and  
3     wildlife resources require that Californians adopt reasonable  
4     water efficiency measures that improve water supply reliability.

5     (2) Water conservation and water use efficiency are central  
6     elements of the state's strategy to enhance water reliability, restore  
7     ecosystems, and respond to a growing population.

8     (3) Water conservation and water use efficiency should be part  
9     of a comprehensive solution that includes local resource  
10    development and infrastructure improvements, including storage  
11    and conveyance, as part of a statewide system that promotes  
12    economic and environmental stability.

13    (4) Accomplishing water conservation and water use efficiency  
14    goals will require statewide action by all water users, including  
15    residential, commercial, industrial, and agricultural users, local  
16    and regional planning agencies, state and federal agencies,  
17    chambers of commerce, and business, commercial, and industrial  
18    professional and trade associations.

19    (5) Efficient water use may be improved by the development of  
20    alternative local sources of water supplies, such as stormwater,  
21    recycled water, desalinated water, and treated water, that reduce  
22    the demand for imported water. Efficient water use also encourages  
23    multiple uses of water within a single watershed or region.

24    (6) Efficient water management in California requires that  
25    urban water suppliers attempt to match the water quality available  
26    from different sources of water, including, but not limited to,  
27    recycled water, with the corresponding water quality objectives  
28    required by each beneficial use, including, but not limited to,  
29    municipal, industrial, and agricultural uses.

30    (7) The Governor's mandate for a 20-percent reduction in  
31    statewide, urban, per capita water use is an important component  
32    of a comprehensive package of water management strategies  
33    necessary to ensure sufficient water supplies for California's  
34    residential and commercial uses. The implementation of this goal  
35    should allow for flexible implementation that encourages local  
36    and regional implementation.

37    (8) Existing, well-established water management planning  
38    processes, including integrated regional water management plans,  
39    should be utilized to provide for the most effective, cooperative,

1 *efficient, and expedient progress toward the 20-percent statewide*  
2 *goal.*

3 *(9) General statutory direction to state, regional, and local*  
4 *implementing agencies should allow for implementation that*  
5 *reflects the need to take into account unique local factors, including*  
6 *housing density and lot sizes, climatic conditions, local watershed*  
7 *and groundwater conditions, the mix of commercial, industrial,*  
8 *and institutional uses, and year-to-year weather changes.*

9 *(10) Standardized data collection and analysis will be required*  
10 *to track progress toward the statewide water conservation goal*  
11 *and ensuring accountability among local and regional agencies.*

12 *(11) Goals pertaining to agricultural water use should recognize*  
13 *that agricultural water use, like commercial and industrial water*  
14 *use, is for a business purpose. Progress towards efficient*  
15 *agricultural water use can best be achieved through the*  
16 *development of best management practices that recognize local*  
17 *and regional differences in climates, soils, cropping patterns, and*  
18 *cultural practices.*

19 *(12) Goals pertaining to commercial and industrial water uses*  
20 *should recognize the very different commercial and industrial uses*  
21 *among regions and local agencies and should not unreasonably*  
22 *combine the factors of commercial uses and population. Progress*  
23 *toward commercial and industrial water conservation can best be*  
24 *achieved through the development of best management practices*  
25 *and local and regional engagement with local commercial and*  
26 *industrial operations.*

27 *(13) Water use efficiency and local water resources management*  
28 *should be undertaken for the purpose of enhancing watershed*  
29 *sustainability.*

30 *(14) Conservation and water use efficiency programs should*  
31 *be implemented in a manner that strengthens the water rights of*  
32 *California communities. Implementation of programs for*  
33 *conservation and water use efficiency in a manner that undermines*  
34 *the certainty and security of water rights contradicts the mandate*  
35 *of Section 2 of Article X of the California Constitution, which*  
36 *directs that the water resources of California be put to beneficial*  
37 *use to the fullest extent of which they are capable.*

38 *(b) Therefore, it is the intent of the Legislature, in enacting this*  
39 *act, to do all of the following:*



1     (1) Establish a statewide, transparent process to accomplish  
2     the Governor's goal of a 20-percent per capita reduction in water  
3     usage by 2020, which translates into a statewide goal of 1.74  
4     million acre-feet, and thereby improves statewide water supply  
5     reliability in a time of periodic drought and population growth.

6     (2) Encourage better management practices in urban areas that  
7     reduce per capita water use consistent with the Governor's goal  
8     on a statewide, aggregate basis.

9     (3) Encourage maximum water use efficiency in the commercial,  
10    institutional, industrial, and agricultural sectors to reduce overall  
11    water use while maintaining and improving economic output and  
12    productivity, thereby contributing to sustainable job growth and  
13    a vibrant economy for the 21st century.

14    (4) Acknowledge that conservation, improved water use  
15    efficiency, and development of local resources, such as water  
16    reuse, recycling, desalination, multiple uses of water in the same  
17    watershed, and stormwater capture, all contribute to better water  
18    management and all should be credited against the goals  
19    established by local agencies under this legislation.

20    (5) Acknowledge that incentive-based programs will be more  
21    effective in improving water management than command and  
22    control approaches.

23    (6) Recognize that "one size does not fit all" and seek to allow  
24    local agencies the flexibility to tailor water use reduction efforts  
25    that account for variations in local circumstances, including local  
26    climate conditions, population growth, industrial composition,  
27    characteristics of local watersheds and groundwater basins, and  
28    previous conservation and water use efficiency efforts.

29    (7) Ensure accomplishment of the statewide conservation goal  
30    by implementing an effective, transparent process for the reporting,  
31    monitoring, and analysis of data on water use and water  
32    conservation and efficiency measures and the progress of local  
33    agencies in meeting long-term conservation and water use  
34    efficiency goals.

35    (8) Water conservation and water use efficiency should be just  
36    one element of a comprehensive water supply solution for  
37    commercial, institutional, and industrial water users, urban water  
38    users, agricultural suppliers, and other water users in the state.

39    10661. Unless the context requires otherwise, the definitions  
40    set forth in this section govern the construction of this chapter.

- 1     (a) “Baseline” means a retail urban water supplier’s average  
2     total residential water use in acre-feet during a fixed, 10-year  
3     period ending in 2004 or later.
- 4     (b) “CII” means the use of water in commercial, industrial, and  
5     institutional settings.
- 6     (c) “Form 38” means the Department of Water Resources Form  
7     Number 38, Public Water System Statistics.
- 8     (d) “High-efficiency water use” means net residential water  
9     use within a retail urban water supplier’s service area that does  
10    not exceed the sum of both of the following:
- 11    (1) Fifty-five gallons per capita, per day for indoor residential  
12    uses.
- 13    (2) Seventy percent of reference evapotranspiration, as  
14    determined by historic CIMIS data as outlined in the state’s model  
15    water efficient landscape ordinance for outdoor residential uses.
- 16    (e) “Institute” means the California State University Water  
17    Resources and Policy Initiative.
- 18    (f) “Local water resources management” means the use of  
19    alternative sources of water that make the most efficient use of  
20    water, including, but not limited to, any of the following:
- 21    (1) The capture of stormwater or rainwater.
- 22    (2) The use of recycled water.
- 23    (3) The desalination of brackish groundwater or seawater.
- 24    (4) The conjunctive use of surface water and groundwater in a  
25    manner that is consistent with the safe yield of the groundwater  
26    basin.
- 27    (5) The reuse of water multiple times in a watershed, provided  
28    that the total credits for that water do not exceed the quantity of  
29    water reused.
- 30    (6) The recovery of losses in conveyance systems.
- 31    (7) The matching of the water quality available from different  
32    sources of water, including recycled water, with the corresponding  
33    water quality objectives required by each beneficial use, including  
34    municipal, industrial, or agricultural uses.
- 35    (g) “Plan” means an urban water conservation plan required  
36    by this chapter.
- 37    (h) “Regional water management group” has the same meaning  
38    as set forth in Section 10537.
- 39    (i) “Reporting agency” means a retail urban water supplier, a  
40    wholesale urban water supplier acting at the request and on behalf

1 of one or more retail urban water suppliers within its boundaries,  
2 or a regional water management group acting at the request and  
3 on behalf of one or more retail urban water suppliers within its  
4 boundaries, as authorized by resolution of its governing board  
5 submitted to the department.

6 (j) “Retail urban water supplier” is an urban water supplier,  
7 as defined in Section 10617, that provides water service directly  
8 to residential, commercial, industrial, and institutional customers.

9 (k) “Statewide aggregate water conservation goal” means the  
10 Governor’s statewide aggregate goal of a 20-percent reduction  
11 in water use by 2020, which totals 1.74 million acre-feet of water.

12 (l) “Water conservation percentage” means the percentage  
13 calculated pursuant to subparagraph (A) of paragraph (3) of  
14 subdivision (a) of Section 10665.

15 (m) “Water use efficiency” means the efficient use of water as  
16 that term is defined in Section 10613.

17 (n) “Wholesale urban water supplier” means a water supplier  
18 that provides more than 3,000 acre-feet of water annually at  
19 wholesale for municipal purposes.

20 Article 2. Urban Water Conservation Plans

21 10665. (a) (1) Except as provided in paragraph (2), each retail  
22 urban water supplier shall, in its urban water management plan,  
23 develop and implement an urban water conservation plan, in  
24 accordance with this article.

25 (2) A retail urban water supplier that has achieved  
26 high-efficiency water use or will achieve high-efficiency water use  
27 by January 1, 2020, is not subject to the requirements of this  
28 section.

29 (b) An urban water conservation plan shall include all of the  
30 following components:

31 (1) A water use efficiency component, which shall include  
32 programs to implement all of the following:

33 (A) (i) The “foundational best management practices” of Exhibit  
34 1 to the Memorandum of Understanding Regarding Urban Water  
35 Conservation in California, dated December 2008, in accordance  
36 with all of the provisions of that memorandum of understanding.

37 (ii) The water savings goals contained in Exhibit 1 to the  
38 Memorandum of Understanding Regarding Urban Water  
39 Conservation in California, dated December 2008, including  
40 accomplishing the specific measures listed in Section A of each

1 *best management practice, a set of measures that achieve equal*  
2 *or greater water savings, or a set water savings goals, as measured*  
3 *in gallons per capita per day.*

4 *(iii) A retail urban water supplier may, in lieu of programs*  
5 *described in clause (i) or (ii), implement local or regional best*  
6 *management practices that are collectively at least as effective as*  
7 *those programs.*

8 *(B) Reporting on the implementation status of programs to*  
9 *replace traditional outdoor landscaping with climate-appropriate*  
10 *landscaping, or otherwise change patterns of water use in urban*  
11 *areas.*

12 *(C) For a retail urban water supplier subject to Section 526 or*  
13 *527, a program that includes a schedule for accomplishing the*  
14 *installation of metering that includes interim milestones, and a*  
15 *financial plan or budget to achieve that schedule. A retail urban*  
16 *water supplier that accelerates its schedule for accomplishing*  
17 *metering of its entire service area ahead of the deadline stated in*  
18 *Section 526 or 527, as applicable, shall be entitled to credits for*  
19 *the water conserved by the accelerated implementation in*  
20 *calculating the amount and percentage of water conserved by its*  
21 *conservation plan. Nothing in this chapter shall be construed to*  
22 *require a retail urban water supplier to accelerate its*  
23 *implementation of metering or to penalize that supplier if it is in*  
24 *compliance with either Section 526 or 527.*

25 *(2) A local water resources management component, which*  
26 *shall include both of the following:*

27 *(A) Consideration of changes in water use to better match the*  
28 *water quality available from different sources of water with the*  
29 *corresponding water quality objectives required by each beneficial*  
30 *use.*

31 *(B) Consideration of programs to make use of alternative local*  
32 *sources of water supply through local water resources*  
33 *management.*

34 *(3) A water efficiency planning component, which shall include*  
35 *all of the following:*

36 *(A) Estimates of the annual quantity of water, in acre-feet, that*  
37 *would be conserved by the plan by the year 2020 and thereafter,*  
38 *when compared to baseline, and the percentage of that water*  
39 *conserved as compared to baseline.*

1     (i) *In calculating the amount and percentage of conservation*  
2 *pursuant to this subparagraph, credit shall be given for local water*  
3 *resources management measures implemented after the baseline*  
4 *period.*

5     (ii) *The calculation shall also include an estimate of indoor*  
6 *residential gallons used per capita per day, and an estimate of*  
7 *outdoor residential water use, in terms of percentage of reference*  
8 *evapotranspiration.*

9     (iii) *A retail urban water supplier may include in its calculation*  
10 *of the annual quantity of water, in acre-feet, the amount of water*  
11 *that would be conserved by the plan and the quantity of water that*  
12 *would be conserved by implementing measures to conserve water*  
13 *used in the CII sector, including, but not limited to, measures*  
14 *recommended by the CII task force, if the retail urban water*  
15 *supplier's baseline includes the use of water in the CII sector. In*  
16 *calculating water conservation in the combined residential and*  
17 *CII sectors, a retail urban water supplier may credit the quantity*  
18 *of water obtained from local water resources management*  
19 *measures in calculating the total quantity and percentage of water*  
20 *conservation.*

21     (B) *If applicable, an explanation of the reason it is not feasible*  
22 *for the retail urban water supplier to have a water conservation*  
23 *percentage of 20 percent or more of baseline water use by 2020,*  
24 *if the plan will not meet that goal by 2020. The explanation may*  
25 *refer to the inability to obtain voter approval of necessary*  
26 *expenditures of funds, as required by Article XIII D of the*  
27 *California Constitution, or any other financial constraints.*

28     (C) *Interim milestones for progress toward the estimates*  
29 *described in subparagraph (A), for the years 2012, 2014, 2016,*  
30 *and 2018.*

31     10666. *A retail urban water supplier that will achieve*  
32 *high-efficiency water use before January 1, 2020, shall include in*  
33 *its urban water management plans for the years 2010, 2015, and*  
34 *2020 documentation of its plan for achievement and maintenance*  
35 *of high-efficiency water use, and is exempt from developing and*  
36 *implementing an urban water conservation plan pursuant to this*  
37 *article.*

38     10667. *Each retail urban water supplier shall fully implement*  
39 *its water conservation plan in a timely fashion and shall include*

1 *an update of its water conservation plan in each of its urban water*  
2 *management plan updates for the years 2010, 2015, and 2020.*

3 *10668. (a) If a retail urban water supplier achieves*  
4 *high-efficiency water use, or adopts a plan that will achieve*  
5 *high-efficiency water use, and subsequently fails to meet that*  
6 *standard or fails to fully implement that plan in a subsequent*  
7 *reporting period, the retail urban water supplier shall do all of*  
8 *the following:*

9 *(1) Provide notice of its failure to the department within 90 days*  
10 *of its submission of an urban water management plan to the*  
11 *department that documents that failure.*

12 *(2) Prepare the water conservation plan required by this chapter*  
13 *and submit that plan to the department within 90 days after the*  
14 *notice provided pursuant to paragraph (1).*

15 *(3) Implement the water conservation plan in accordance with*  
16 *this chapter.*

17 *(b) If a retail urban water supplier fails to meet an interim*  
18 *milestone identified in its plan, it shall provide notice of its failure*  
19 *to the department within 90 days of the interim milestone. The*  
20 *retail urban water supplier, within 90 days after providing that*  
21 *notice, shall submit a plan to the department to meet the next*  
22 *interim milestone and shall implement that plan in a manner that*  
23 *achieves the next interim milestone.*

24 *10669. Retail urban water suppliers may cooperate in developing*  
25 *and implementing water use efficiency and local water resources*  
26 *management projects and may agree among themselves as to the*  
27 *manner in which to allocate credit for water conservation in the*  
28 *implementation of those projects, in a manner that does not*  
29 *double-count any water conserved through those projects.*

30 *Article 3. Enforcement and Regulations*

31 *10670.(a) The department, or the institute pursuant to an*  
32 *agreement with the department, shall develop an Internet Web site*  
33 *for the purpose of reporting the information required by this*  
34 *chapter. The cost of developing the Internet Web site may be funded*  
35 *from unallocated bond revenues pursuant to paragraph (12) of*  
36 *subdivision (a) of Section 75027 of the Public Resources Code, to*  
37 *the extent those funds are available for this purpose.*

38 *(b) On or before December 31, 2012, and every two years*  
39 *thereafter, each reporting agency shall report on the Internet Web*  
40 *site developed pursuant to this section, its progress toward*

1 *reaching a water conservation percentage of 20 percent or more*  
2 *of baseline water use by 2020. The reporting agency shall report*  
3 *the following information:*

4 *(1) The data included in Form 38.*

5 *(2) The total population within the water supplier's service*  
6 *area, as determined by the United States Census Bureau or a more*  
7 *recent estimate by the California Department of Finance.*

8 *(c) Estimates of water conservation percentages contained in*  
9 *initial and revised water conservation plans shall be uploaded to*  
10 *the Internet Web site developed pursuant to this section.*

11 *10671. (a) The department shall contract with the institute to*  
12 *evaluate urban water conservation plans pursuant to this chapter.*

13 *(b) The institute shall develop, through an open and public*  
14 *process, all of the following:*

15 *(1) A description of the data in addition to the data collected*  
16 *on Form 38, if any, required to be submitted by each retail urban*  
17 *water supplier in order for the institute to determine whether*  
18 *California is on track to meet the statewide aggregate water*  
19 *conservation goal. The institute shall include an evaluation of the*  
20 *costs of collecting this data to the state and to retail urban water*  
21 *suppliers.*

22 *(2) A description of the process and information needed to*  
23 *assure the institute that the data submitted by each retail urban*  
24 *water supplier are reasonably accurate and reliable to be included*  
25 *in the estimate of progress toward the statewide aggregate water*  
26 *conservation goal.*

27 *(3) A description of weather-normalizing factors, including, but*  
28 *not limited to, any differences in evapotranspiration and rainfall*  
29 *in the baseline period compared to the reporting period, that a*  
30 *retail urban water agency may use in reporting water conservation*  
31 *data.*

32 *10672. (a) The institute shall calculate the total quantity of water*  
33 *conserved contained in the 2010 urban water management plans*  
34 *and report that statewide total to the Legislature on or before July*  
35 *1, 2011.*

36 *(b) Reporting agencies shall upload the data needed for the*  
37 *calculation in subdivision (a) to the Internet Web site developed*  
38 *pursuant to Section 10675.*

39 *10673. A retail urban water supplier may consult with the*  
40 *institute to perform a water conservation plan evaluation for the*

1 retail urban water supplier that provides the retail urban water  
2 supplier with recommendations regarding projects that would  
3 improve the retail urban water supplier's water use efficiency or  
4 local water resources management program to achieve high levels  
5 of water use efficiency. These recommendations shall consider the  
6 availability of financial and other assistance and shall maximize  
7 implementation of locally cost-effective measures.

8 10674.(a) If the statewide total quantity of water conserved  
9 contained in the urban water management plans submitted for the  
10 year 2010 is less than the statewide aggregate goal, as determined  
11 by the institute, each retail urban water supplier that is not  
12 implementing a plan to achieve high-efficiency water use, or a  
13 plan to achieve a water conservation percentage equal to or  
14 greater than 20 percent of baseline by 2020, shall prepare a revised  
15 water conservation plan and submit that plan to the institute by  
16 December 31, 2012.

17 (b) A retail urban water supplier that is implementing a plan  
18 to achieve high-efficiency water use, or a plan to achieve a water  
19 conservation percentage equal to or greater than 20 percent of  
20 baseline by the year 2020, may submit a revised water conservation  
21 plan to the institute by December 31, 2012.

22 10675. (a) The institute shall calculate the total of all estimates  
23 of water conserved, as submitted in urban water management  
24 plans for the year 2010, for retail urban water suppliers that are  
25 implementing a plan to achieve high-efficiency water use or a  
26 water conservation percentage equal to, or greater than, 20 percent  
27 of baseline by the year 2020. The calculation shall include the  
28 estimates of water conserved that is contained in all revised water  
29 conservation plans submitted by December 31, 2012. The institute  
30 shall report the statewide total to the Legislature on or before  
31 March 1, 2013.

32 (b) (1) If the statewide total in the report submitted pursuant to  
33 subdivision (a), is less than the statewide aggregate goal, the  
34 institute shall prepare a report, by July 1, 2013, on the cost of  
35 achieving the statewide aggregate goal, which shall include all of  
36 the following:

37 (A) Expenditures needed to achieve the statewide aggregate  
38 goal that are not locally cost effective.



1     (B) *The relative cost-effectiveness of water use efficiency*  
2     *measures as compared to local water resources management*  
3     *measures for different regions of California.*

4     (C) *Consideration of the potential contribution toward the*  
5     *statewide aggregate goal from all feasible water conservation*  
6     *measures in the CII sector, as recommended by the CII task force*  
7     *pursuant to Article 3 (commencing with Section 10685).*

8     (2) *The institute shall update the report and present the updated*  
9     *report to the Legislature on or before July 1, 2016.*

10    (c) (1) *If the statewide total in the report submitted pursuant to*  
11    *subdivision (a) is less than the statewide aggregate goal, the*  
12    *department, beginning on January 1, 2014, may adopt regulations*  
13    *to achieve the statewide aggregate goal consistent with all of the*  
14    *following requirements:*

15    (A) *Retail urban water suppliers that have adopted and are*  
16    *implementing a plan to achieve high-efficiency water use, or a*  
17    *water conservation percentage equal to or greater than 20 percent*  
18    *of baseline by the year 2020, shall be exempt from the regulations.*

19    (B) *All other retail urban water suppliers shall be required by*  
20    *the department to adopt water use efficiency measures or local*  
21    *water resources management measures that will achieve the*  
22    *statewide aggregate goal, based on the following criteria:*

23    (i) *The retail urban water supplier's water conservation*  
24    *percentage.*

25    (ii) *A comparison of the retail urban water supplier's indoor*  
26    *residential and outdoor residential water use with retail urban*  
27    *water suppliers with similar populations and similar reference*  
28    *evapotranspiration based on CIMIS.*

29    (iii) *Whether the retail urban water supplier has fully*  
30    *implemented any recommendations for water use efficiency or*  
31    *local water resources management measures made by the institute.*

32    (iv) *Consideration of any statewide recommendations for water*  
33    *use efficiency or local water resources management measures*  
34    *proposed by the institute.*

35    (2) *The department's regulations shall, to the greatest extent*  
36    *practicable and consistent with achieving the statewide aggregate*  
37    *goal, maximize the use of local cost-effective measures and shall*  
38    *not require any retail urban water supplier to have a water*  
39    *conservation percentage greater than 20 percent of baseline.*

Article 4. Commercial, Industrial, and Institutional Water Conservation

10685. (a) The board and the department, not later than April 1, 2010, shall convene a task force consisting of experts to develop, for the CII sector, best management practices that are intended to result in meeting a statewide goal of at least a 20-percent reduction in potable water use in the CII sector by the year 2020, as compared to statewide water use by that sector for the year 2005.

(b) The task force shall be composed of representatives of the board, the department, urban water suppliers located in all of the regions used as part of the California Water Plan task force, trade groups representing the CII sector, and environmental groups. Members of the task force shall be selected by the director, after consultation with the chairperson of the board.

(c) On or before April 1, 2010, the department shall enter into an agreement providing for the funding of the operations of the task force by its participants.

(d) The director, after consultation with the chairperson of the board, may designate a chairperson of the task force.

(e) Any recommendation of the task force, in the report required pursuant to subdivision (f), shall be endorsed by two-thirds of the members of the task force and minority reports shall be included in the report.

(f) On or before April 1, 2011, the task force shall submit a report to the board and the department, which shall include a discussion of at least all of the following subjects:

(1) Metrics that are appropriate for use in evaluating the use of water in the CII sector.

(2) An evaluation of the appropriate quantities of water needed for cooling in manufacturing processes.

(3) An evaluation of the appropriate quantities of water needed as an ingredient in manufactured goods or for use in manufacturing processes.

(4) The cost-effectiveness of water use efficiency and local water resources management measures in the CII sector.

(5) An evaluation of the differences between process water and product water.

(6) An evaluation of the potential use of stormwater, recycled water, treated water, desalinated water, or other alternative

1 *sources of water in the CII sector, together with appropriate credits*  
2 *for that use.*

3 *(7) An evaluation of the manner in which regional projects*  
4 *could provide significant supplies of stormwater, recycled water,*  
5 *treated water, desalinated water, or other alternative sources of*  
6 *water to the CII sector.*

7 *(8) An evaluation of the need for offsite public infrastructure*  
8 *to provide sufficient supplies of stormwater, recycled water, treated*  
9 *water, desalinated water, or other alternative sources of water to*  
10 *the CII sector.*

11 *(9) The economic viability of any proposals developed by the*  
12 *task force and whether these proposals would create sustainable*  
13 *green collar jobs.*

14 *(10) An evaluation of institutional and economic barriers to*  
15 *increased water use efficiency and local water resources*  
16 *management in the CII sector.*

17 *(11) An evaluation of whether it is feasible to reduce water use*  
18 *statewide in the CII sector by at least 20 percent by the year 2020*  
19 *and, if the reduction is feasible, whether that reduction would be*  
20 *in the public interest.*

21 *(12) The identification of appropriate best management*  
22 *practices that should be implemented in order to achieve a feasible*  
23 *reduction in water use statewide in the CII sector that is consistent*  
24 *with the public interest and reflects past investments in water use*  
25 *efficiency and local water resources management.*

26 *(13) An evaluation of the feasibility and cost-effectiveness of*  
27 *encouraging commercial, industrial, and institutional facilities to*  
28 *implement best management practices that can readily be*  
29 *transferred from residential settings to commercial or institutional*  
30 *settings, including the use of high-efficiency toilets, low-flow*  
31 *showerheads, smart irrigation controllers, and climate-appropriate*  
32 *landscaping.*

33 *10686. Each retail urban water supplier shall consider the*  
34 *adoption of best management practices recommended by the CII*  
35 *task force no later than December 31, 2011, and, by March 1,*  
36 *2012, shall submit to the institute a report describing the actions,*  
37 *if any, that the water supplier has taken based on the*  
38 *recommendations of the CII task force.*

39 *Article 5. Regional Implementation*

1     10690. A wholesale urban water supplier may, with the written  
2     consent of retail urban water suppliers within its service area,  
3     undertake to perform any or all planning, reporting, and  
4     implementation functions under this chapter for those retail urban  
5     water suppliers that consent to those activities. Any data or reports  
6     shall provide information both for the wholesale urban water  
7     supplier and for consenting retail urban water suppliers.

8     10691. (a) A regional water management group may, with the  
9     written consent of its member agencies, undertake any or all  
10    planning, reporting, and implementation functions under this  
11    chapter for the member agencies that consent to those activities.  
12    Any data or reports shall provide information both for the regional  
13    water management group and for consenting wholesale and retail  
14    urban water suppliers.

15    (b) A regional water management group that agrees to  
16    undertake planning, reporting, and implementation functions for  
17    member agencies shall be entitled to a preference of 20 percent  
18    in competitive grant and loan programs. That preference shall  
19    only be awarded to projects that are identified in the integrated  
20    regional water management plan adopted by the regional water  
21    management group.

22    Article 6. Miscellaneous Provisions

23    10695. (a) Notwithstanding any other provision of law, all  
24    competitive grant or loan programs administered by the  
25    department, the board, or the California Bay-Delta Authority, or  
26    its successor agency, for integrated regional water management  
27    programs or water conservation programs shall provide financial  
28    incentives to the following retail urban water suppliers to support  
29    water use efficiency and local water resources management  
30    measures:

31    (1) Retail urban water suppliers that adopt and document  
32    implementation of a plan to achieve high-efficiency water use.

33    (2) Retail urban water suppliers that adopt and document  
34    implementation of a plan to achieve a water conservation  
35    percentage that exceed 20 percent of baseline shall be entitled to  
36    preference for grants or loans over retail urban water suppliers  
37    that do not exceed 20 percent of baseline.

38    (3) Retail urban water suppliers that adopt and document  
39    implementation of a plan to achieve a water conservation  
40    percentage that exceed 20 percent of baseline prior to \_\_\_\_\_, shall

1 *be entitled to preference for grants or loans over retail urban water*  
2 *suppliers that do not adopt such a plan.*

3 *(4) Retail urban water suppliers serving disadvantaged areas,*  
4 *for which the median income of the retail urban water supplier's*  
5 *service area is less than 80 percent of the statewide median, shall*  
6 *be entitled to a preference at least equal to that provided to retail*  
7 *urban water suppliers that adopt and document implementation*  
8 *of a plan to achieve water conservation percentage that exceed*  
9 *20 percent of baseline.*

10 *(5) Retail urban water suppliers proposing to implement other*  
11 *measures that may be needed to achieve the statewide aggregate*  
12 *goal.*

13 *(b) The department, the board, and the California Bay-Delta*  
14 *Authority, or its successor agency, may adopt competitive criteria*  
15 *to implement this section.*

16 *10696. (a) This chapter does not subject a retail urban water*  
17 *supplier to regulation by the department, if the retail urban water*  
18 *supplier has adopted and begun to implement its water*  
19 *conservation plan in good faith and the retail urban water supplier*  
20 *meets any of the following criteria:*

21 *(1) Is unable to implement its water conservation plan as a*  
22 *result of an order from a court of competent jurisdiction.*

23 *(2) Is delayed in implementing its water conservation plan as*  
24 *a result of a decision of a court of competent jurisdiction that*  
25 *invalidates an element of the water conservation plan, or the*  
26 *financing or regulatory permitting of an element of the plan.*

27 *(3) Has been unsuccessful in attempting to raise any additional*  
28 *revenues needed to implement all or a portion of its water*  
29 *conservation plan after the completion of the procedures required*  
30 *by Article XIII D of the California Constitution.*

31 *(b) Notwithstanding subdivision (a), any retail urban water*  
32 *supplier that is prevented from implementing its water conservation*  
33 *plan as a result of the conditions identified in paragraphs (1) to*  
34 *(3), inclusive, of subdivision (a) shall continue to actively*  
35 *implement all remaining elements of its water conservation plan.*

36 *10697. Water use efficiency and local water resources*  
37 *management measures adopted and implemented pursuant to this*  
38 *part are water conservation measures subject to the protections*  
39 *provided under Section 1011.*

1 10698. Costs incurred by the department and the institute  
2 pursuant to this chapter may be funded from unallocated bond  
3 revenues pursuant to paragraph (12) of subdivision (a) of Section  
4 75027 of the Public Resources Code, to the extent those funds are  
5 available for those purposes.

6 10699. This chapter shall be liberally construed to achieve its  
7 purpose, specifically achieving the statewide aggregate goal of a  
8 20 percent reduction in urban water use, in a manner that provides  
9 the greatest possible flexibility and discretion to local agencies  
10 and that protects water rights to the fullest extent possible.

11 SEC. 4. Section 10801 of the Water Code is repealed.

12 ~~10801. The Legislature finds and declares as follows:~~

13 ~~(a) The waters of the state are a limited and renewable resource.~~

14 ~~(b) The Constitution requires that water in the state be used in  
15 a reasonable and beneficial way.~~

16 ~~(c) Urban water districts, which represent more than 22,000,000  
17 Californians and use less than 12 percent of the water consumed  
18 in the state, are required by Part 2.6 (commencing with Section  
19 10610) to submit water management plans.~~

20 ~~(d) More than 84 percent of the water used in the state is used  
21 for agricultural purposes.~~

22 ~~(e) The conservation of agricultural water supplies are of great  
23 statewide concern.~~

24 ~~(f) There is a great amount of reuse of delivered water, both  
25 inside and outside the water service areas.~~

26 ~~(g) Significant noncrop beneficial uses are associated with  
27 agricultural water use, including streamflows and wildlife habitat.~~

28 ~~(h) Significant opportunities exist in some areas, through  
29 improved irrigation water management, to conserve water or to  
30 reduce the quantity of highly saline or toxic drainage water.~~

31 ~~(i) Changes in water management practices shall be carefully  
32 planned and implemented to minimize adverse effects on other  
33 beneficial uses currently being served.~~

34 ~~(j) Agricultural water suppliers that receive water from the  
35 federal Central Valley Project are required by federal law to  
36 develop and implement water conservation plans.~~

37 ~~(k) Agricultural water users applying for a permit to appropriate  
38 water from the State Water Resources Control Board are required  
39 to develop and implement water conservation plans.~~

40 SEC. 5. Section 10801 is added to the Water Code, to read:

1     10801. *The Legislature finds and declares all of the following:*

2     (a) *Agriculture is an important sector of California's economy.*  
3     *With 88,000 farms and ranches, California's agricultural industry*  
4     *is a nearly thirty-six billion six hundred million dollar*  
5     *(\$36,600,000,000) industry and generates one hundred billion*  
6     *dollar (\$100,000,000,000) in related economic activity. California*  
7     *has ranked as the top agricultural producing state in the nation*  
8     *for more than 50 years.*

9     (b) *California agriculture encompasses more than 350 plant*  
10    *and animal commodities.*

11    (c) *In 2000, an estimated 9.6 million acres of cropland in*  
12    *California was irrigated with approximately 34.2 million acre-feet*  
13    *of applied water.*

14    (d) *California growers and water suppliers have implemented*  
15    *state-of-the-art design, delivery, and management practices to*  
16    *increase production efficiency and conserve water. One indicator*  
17    *of improvement in agricultural water use efficiency is that*  
18    *agricultural production per unit of applied water for 32 important*  
19    *crops increased by 38 percent from 1980 to 2000.*  
20    *Inflation-adjusted gross crop revenue per unit of applied water*  
21    *increased by 11 percent during that same period.*

22    (e) *The Agricultural Water Management Planning Act and the*  
23    *Agricultural Water Suppliers Efficient Water Management*  
24    *Practices Act (Part 2.9 (commencing with Section 10900))*  
25    *established guidance for improving agricultural water use*  
26    *efficiency and, in 2005, the Agricultural Water Council was*  
27    *established to improve water use efficiency through the*  
28    *implementation of efficient water management practices.*

29    (f) *Grower and water supplier investments, university-based*  
30    *research, field station studies, and cooperative extension*  
31    *demonstration projects have contributed to improvements in water*  
32    *supply delivery and on-farm water management practices.*

33    (g) *The implementation of agricultural water use efficiency*  
34    *management practices depends on many interrelated factors,*  
35    *including the commitment of public and private investment,*  
36    *technical feasibility, cost-effectiveness, and the availability of*  
37    *technical assistance. Further investments in research and*  
38    *demonstration will be critical to identifying options to extend water*  
39    *use efficiency achievements in planning and implementation*

1 relating to agricultural water delivery systems and on-farm water  
2 use.

3 (h) Significant noncrop beneficial uses are associated with  
4 agricultural water use, including streamflows and wildlife habitat.

5 (i) Changes in water management practices should be carefully  
6 planned and implemented to minimize adverse impacts on other  
7 beneficial uses.

8 SEC. 6. Section 10802 of the Water Code is repealed.

9 ~~10802. The Legislature finds and declares that it is the policy~~  
10 ~~of the state as follows:~~

11 ~~(a) The conservation of water shall be pursued actively to protect~~  
12 ~~both the people of the state and their water resources.~~

13 ~~(b) The conservation of agricultural water supplies shall be an~~  
14 ~~important criterion in public decisions on water.~~

15 ~~(c) Agricultural water suppliers, who determine that a significant~~  
16 ~~opportunity exists to conserve water or reduce the quantity of~~  
17 ~~highly saline or toxic drainage water, shall be required to develop~~  
18 ~~water management plans to achieve conservation of water.~~

19 SEC. 7. Section 10813 of the Water Code is repealed.

20 ~~10813. “Person” means any individual, firm, association,~~  
21 ~~organization, partnership, business, trust, corporation, company,~~  
22 ~~public agency, or any agency of such an entity.~~

23 SEC. 8. Section 10813 is added to the Water Code, to read:

24 10813. “Entity” means an association, ditch company,  
25 investor-owned utility, mutual water company, or public agency.

26 SEC. 9. Section 10814 of the Water Code is amended to read:

27 10814. “Plan” means an agricultural water management plan  
28 prepared pursuant to this part. ~~A plan shall describe and evaluate~~  
29 ~~reasonable and practical efficient uses and conservation activities.~~  
30 ~~The components of the plan may vary according to an area's~~  
31 ~~characteristics and its capabilities to conserve and use water~~  
32 ~~efficiently. The plan shall address measures for agricultural water~~  
33 ~~management as set forth in Article 2 (commencing with Section~~  
34 ~~10830) of Chapter 3. In addition, a strategy and time schedule for~~  
35 ~~implementation shall be included in the plan.~~

36 SEC. 10. Section 10816 of the Water Code is amended to read:

37 10816. “Agricultural water supplier” or “supplier” means a  
38 supplier, either publicly or privately owned, supplying more than  
39 50,000 acre-feet of water annually for agricultural purposes. An  
40 agricultural water supplier includes a supplier or contractor for



1 ~~water, regardless of the basis of right, which distributes or sells~~  
2 ~~for ultimate resale to customers an entity that annually sells or~~  
3 ~~delivers water directly to customers that, in the aggregate, irrigate~~  
4 ~~35,000 or more acres of land used for agricultural purposes.~~

5 SEC. 11. Section 10817 is added to the Water Code, to read:

6 10817. “Water use efficiency” means the use of practices,  
7 techniques, and technologies that improve efficiency in the use of  
8 water.

9 SEC. 12. Article 1 (commencing with Section 10820) of Chapter  
10 3 of Part 2.8 of Division 6 of the Water Code is repealed.

11 SEC. 13. Article 1 (commencing with Section 10820) is added  
12 to Chapter 3 of Part 2.8 of Division 6 of the Water Code, to read:

13  
14 Article 1. General Provisions

15  
16 10820. (a) An agricultural water supplier shall prepare and  
17 adopt an agricultural water management plan in the manner set  
18 forth in this chapter on or before December 31, 2012.

19 (b) Each entity that becomes an agricultural water supplier  
20 after December 31, 2012, shall prepare and adopt an agricultural  
21 water management plan within two years after the date it has  
22 become an agricultural water supplier.

23 (c) An agricultural water supplier indirectly providing water  
24 shall not include planning elements in its water management plan,  
25 as provided in Article 2 (commencing with Section 10825), that  
26 would be applicable to agricultural water suppliers or public  
27 agencies directly providing water, or to their customers, without  
28 the consent of those suppliers or public agencies.

29 (d) (1) An agricultural water supplier may satisfy the  
30 requirements of this part by adopting an urban water management  
31 plan pursuant to Part 2.6 (commencing with Section 10610) or by  
32 participation in areawide, regional, watershed, or basinwide water  
33 management planning if those plans will reduce preparation costs  
34 and contribute to the achievement of conservation and efficient  
35 agricultural water use.

36 (2) An agricultural water supplier shall coordinate the  
37 preparation of its plan with other appropriate agencies in the area,  
38 including, but not limited to, other water suppliers that share a  
39 common source, water management agencies, and relevant public  
40 agencies, to the extent practicable.

1 (e) An agricultural water supplier may prepare the plan with  
2 its own staff, by contract, or in cooperation with other  
3 governmental agencies.

4 10821. (a) An agricultural water supplier shall update its plan  
5 at least once every five years on or before December 31, in years  
6 ending in zero and five.

7 (b) An agricultural water supplier required to prepare a plan  
8 pursuant to this part shall notify each city or county within which  
9 the supplier provides water supplies that the agricultural water  
10 supplier will be preparing the plan or reviewing the plan and  
11 considering amendments or changes to the plan. The agricultural  
12 water supplier may consult with, and obtain comments from, each  
13 city or county that receives notice pursuant to this subdivision.

14 (c) The amendments to, or changes in, the plan shall be adopted  
15 and submitted in the manner set forth in Article 3 (commencing  
16 with Section 10840).

17 SEC. 14. Article 2 (commencing with Section 10825) of Chapter  
18 3 of Part 2.8 of Division 6 of the Water Code is repealed.

19 SEC. 15. Article 2 (commencing with Section 10825) is added  
20 to Chapter 3 of Part 2.8 of Division 6 of the Water Code, to read:

21  
22 Article 2. Contents of Reports and Plans  
23

24 10825. (a) It is the intent of the Legislature, in enacting this  
25 part, to allow levels of water management planning commensurate  
26 with the numbers of customers served and the volume of water  
27 supplied.

28 (b) This part does not require the implementation of water use  
29 efficiency management programs or practices that are not locally  
30 cost effective and technically feasible.

31 10826. An agricultural water management plan shall be  
32 adopted in accordance with this chapter and shall include all of  
33 the following:

34 (a) A description of the agricultural water supplier and the  
35 service area, including all of the following:

36 (1) History and size of the service area.

37 (2) Location of the service area and its water management  
38 facilities.

39 (3) Terrain and soils.

40 (4) Climate.

- 1 (5) *Operating rules and regulations.*
- 2 (6) *Water delivery measurements or calculations.*
- 3 (7) *Water rate schedules and billing.*
- 4 (8) *Water shortage allocation policies.*
- 5 (b) *A description of the quantity and quality of water resources*
- 6 *of the agricultural water supplier, including all of the following:*
- 7 (1) *Surface water supply.*
- 8 (2) *Groundwater supply.*
- 9 (3) *Other water supplies.*
- 10 (4) *Source water quality monitoring practices.*
- 11 (5) *Water uses within the agricultural water supplier's service*
- 12 *area, including all of the following:*
- 13 (A) *Agricultural.*
- 14 (B) *Environmental.*
- 15 (C) *Recreational.*
- 16 (D) *Municipal and industrial.*
- 17 (E) *Groundwater recharge.*
- 18 (F) *Transfers and exchanges.*
- 19 (G) *Other water uses.*
- 20 (6) *Drainage from the water supplier service area.*
- 21 (7) *Water accounting, including all of the following:*
- 22 (A) *Quantifying the water supplier's water supplies.*
- 23 (B) *Tabulating water uses.*
- 24 (C) *Overall water budget.*
- 25 (8) *Water supply reliability.*
- 26 (c) *A description of water use efficiency management practices*
- 27 *that have been implemented by the agricultural water supplier*
- 28 *since the last submitted plan or plan update.*
- 29 (d) *An estimate of the quantity of applied water recovered and*
- 30 *reused within the service area of the supplier, since the last*
- 31 *submitted plan or plan update.*
- 32 (e) *An estimate of the reduction in the amount of irrecoverable*
- 33 *applied water, if any, since the last submitted plan or plan update.*
- 34 (f) *Documentation of any determination by the supplier that a*
- 35 *water use efficiency management practice is not locally cost*
- 36 *effective or technically feasible.*
- 37 (g) (1) *Identification of all locally cost-effective and technically*
- 38 *feasible water use efficiency management practices that the*
- 39 *agricultural water supplier plans to implement in the five-year*
- 40 *period following the adoption of the plan.*

(2) Water use efficiency management practices that shall be considered for implementation pursuant to paragraph (1) include, but are not limited to, all of the following:

(A) Measurement of the volume of water delivered to customers with sufficient accuracy to comply with subdivision (a) of Section 531.10.

(B) Designation of a water conservation coordinator who will develop and implement the water management plan and prepare progress reports.

(C) Provision of water management services to water users. These services may include, but are not limited to, all of the following:

(i) On-farm irrigation and drainage system evaluations.

(ii) Normal year and real-time irrigation scheduling and crop evapotranspiration information.

(iii) Surface water, groundwater, and drainage water quantity and quality data.

(iv) Agricultural water management educational programs and materials for farmers, staff, and the public.

(h) An evaluation of the policies of agencies that provide the supplier with water to identify the potential for institutional changes to allow more flexible water deliveries and storage.

(i) An evaluation of the efficiencies of the supplier's pumps.

(j) Facilitation of alternative land uses for lands with exceptionally high water duties or the irrigation of which contributes to significant problems, including drainage.

(k) Facilitation of the use of available recycled water that otherwise would not be used beneficially, if the use of the recycled water meets all state health and safety standards, and does not harm crops or soils.

(l) Facilitation of the financing of capital improvements for on-farm irrigation systems.

(m) Adoption of a pricing structure for water customers based, at least in part, on the quantity of water delivered.

10828. Agricultural water suppliers that are members of the Agricultural Water Management Council, and that submit water management plans to that council in accordance with the "Memorandum of Understanding Regarding Efficient Water Management Practices By Agricultural Water Suppliers In California," dated January 1, 1999, may submit the water

1 *management plans identifying water use efficiency management*  
2 *practices currently being implemented, or scheduled for*  
3 *implementation, to satisfy the requirements of Section 10826.*

4 *10829. (a) Agricultural water suppliers that are required to*  
5 *submit water conservation plans to the United States Bureau of*  
6 *Reclamation pursuant to either the Central Valley Project*  
7 *Improvement Act (Public Law 102-575) or the Reclamation Reform*  
8 *Act of 1982, or both, may submit those water conservation plans*  
9 *to satisfy the requirements of Section 10826, if both of the following*  
10 *apply:*

11 *(1) The agricultural water supplier has adopted and submitted*  
12 *the water conservation plan to the United States Bureau of*  
13 *Reclamation within the previous four years.*

14 *(2) The United States Bureau of Reclamation has accepted the*  
15 *water conservation plan as adequate.*

16 *(b) Notwithstanding subdivision (a) of Section 10821, this part*  
17 *does not require agricultural water suppliers that are required to*  
18 *submit water conservation plans to the United States Bureau of*  
19 *Reclamation pursuant to either the Central Valley Project*  
20 *Improvement Act (Public Law 102-575) or the Reclamation Reform*  
21 *Act of 1982, or both, to prepare and adopt water conservation*  
22 *plans according to a schedule that is different from that required*  
23 *by the United States Bureau of Reclamation.*

24 *SEC. 16. Section 10840 of the Water Code is repealed.*

25 ~~*10840. Every agricultural water supplier required to prepare a*~~  
26 ~~*water management plan pursuant to subdivision (d) of Section*~~  
27 ~~*10821 shall prepare its plan pursuant to Section 10826.*~~

28 *SEC. 17. Section 10840 is added to the Water Code, to read:*

29 *10840. Every agricultural water supplier shall prepare its plan*  
30 *pursuant to Article 2 (commencing with Section 10825).*

31 *SEC. 18. Section 10841 of the Water Code is repealed.*

32 ~~*10841. (a) An agricultural water supplier required to prepare*~~  
33 ~~*a plan may consult with, and obtain comments from, any public*~~  
34 ~~*agency or state agency or any person who has special expertise*~~  
35 ~~*with respect to water conservation and reclamation and*~~  
36 ~~*management methods and techniques.*~~

37 ~~*(b) In order to assist agricultural water suppliers in obtaining*~~  
38 ~~*needed expertise as provided for in subdivision (a), the department,*~~  
39 ~~*upon request of an agricultural water supplier, shall provide the*~~

1 ~~supplier with a list of persons or agencies having expertise or~~  
2 ~~experience in the development of water management plans.~~

3 ~~(e) The department shall prepare by July 1, 1988, an outline of~~  
4 ~~model informational reports and water management plans which~~  
5 ~~an agricultural water supplier may use in complying with the~~  
6 ~~requirements of this part.~~

7 *SEC. 19. Section 10841 is added to the Water Code, to read:*

8 *10841. An agricultural water supplier required to prepare a*  
9 *plan may consult with, and obtain comments from, any public*  
10 *agency or any person who has special expertise with respect to*  
11 *water use efficiency and reclamation and management methods*  
12 *and techniques.*

13 *SEC. 20. Section 10844 of the Water Code is repealed.*

14 ~~10844. An agricultural water supplier shall file with the~~  
15 ~~department a copy of its plan no later than 30 days after adoption.~~  
16 ~~Copies of amendments or changes to the plans shall be filed with~~  
17 ~~the department within 30 days after adoption.~~

18 ~~Not later than January 1, 1993, the department shall prepare and~~  
19 ~~submit to the Legislature a report summarizing the status of the~~  
20 ~~plans adopted pursuant to this part.~~

21 *SEC. 21. Section 10844 is added to the Water Code, to read:*

22 *10844. (a) Not later than 30 days after the date of adopting*  
23 *its plan, an agricultural water supplier shall provide written notice*  
24 *to the entities listed in subdivision (b) that the plan is available*  
25 *for public review on its Internet Web site. If the agricultural water*  
26 *supplier does not have an Internet Web site, it shall submit to the*  
27 *entities listed in subdivision (b), a copy of the adopted initial or*  
28 *updated plan not later than 30 days after the date of adopting its*  
29 *plan.*

30 *(b) An agricultural water supplier shall submit a copy of its*  
31 *plan, or provide written notice pursuant to subdivision (a), to each*  
32 *of the following entities:*

33 *(1) The department.*

34 *(2) Any city, county, or city and county within which the*  
35 *agricultural water supplier provides water supplies.*

36 *(3) Any groundwater management entity within which*  
37 *jurisdiction the agricultural water supplier extracts or provides*  
38 *water supplies.*

39 *(4) Any urban water supplier within which jurisdiction the*  
40 *agricultural water supplier provides water supplies.*

1     (5) Any city or county library within which jurisdiction the  
2     agricultural water supplier provides water supplies.

3     (6) The California State Library.

4     (7) Any local agency formation commission serving a county  
5     within which the agricultural water supplier provides water  
6     supplies.

7     SEC. 22. Section 10845 of the Water Code is repealed.

8     ~~10845. The adoption of a plan or submission of a report as~~  
9     ~~specified in subdivision (d) of Section 10821 satisfies any~~  
10    ~~requirements of state statute, regulation, or order, including those~~  
11    ~~of the State Water Resources Control Board, for the preparation~~  
12    ~~of water management plans. If the board requires additional~~  
13    ~~information concerning water conservation to implement its~~  
14    ~~existing authority, nothing in this part limits the board in obtaining~~  
15    ~~that information.~~

16    SEC. 23. Section 10845 is added to the Water Code, to read:

17    10845. An agricultural water supplier that does not have an  
18    Internet Web site, not later than 30 days after the date of adopting  
19    its plan, shall, in addition to the submission required pursuant to  
20    Section 10844, submit to the department a copy of the adopted  
21    plan in an electronic format. The department shall make the plan  
22    available for public review on the department's Internet Web site.

23    SEC. 24. Section 10853 of the Water Code is repealed.

24    ~~10853. The department, from funds appropriated for this~~  
25    ~~purpose, shall reimburse each supplier preparing an informational~~  
26    ~~report pursuant to this part for the cost incurred in preparing the~~  
27    ~~report up to an amount, not to exceed five thousand dollars (\$5,000)~~  
28    ~~per report. The department shall reimburse each supplier preparing~~  
29    ~~an agricultural water management plan pursuant to this part for~~  
30    ~~the costs incurred by the supplier in preparing the plan up to an~~  
31    ~~amount, not to exceed twenty-five thousand dollars (\$25,000) per~~  
32    ~~plan.~~

33    SEC. 25. Section 10853 is added to the Water Code, to read:

34    10853. The adoption of a plan in accordance with this part  
35    satisfies any requirements of state statute, regulation, or order,  
36    including those of the board, for the preparation of water  
37    management plans. However, if the board requires additional  
38    information concerning water conservation to implement its  
39    existing authority, this part does not limit the board in obtaining  
40    that information.

1     *SEC. 26. Section 10854 of the Water Code is repealed.*

2     ~~10854. No agricultural water supplier shall be required to~~  
3 ~~prepare an agricultural water management plan pursuant to this~~  
4 ~~part unless funds are appropriated by the Legislature for the~~  
5 ~~1990-91 fiscal year, or before, to reimburse the agricultural water~~  
6 ~~supplier for its costs associated with the plans.~~

7     *SEC. 27. Section 10854 is added to the Water Code, to read:*

8     *10854. An agricultural water supplier that does not prepare,*  
9 *adopt, and submit its agricultural water management plan in*  
10 *accordance with this part is ineligible to receive funds made*  
11 *available pursuant to any program administered by the board, the*  
12 *department, or the California Bay-Delta Authority or its successor*  
13 *agency, until the agricultural water management plan is submitted*  
14 *pursuant to this part.*

15     *SEC. 28. Section 10855 of the Water Code is repealed.*

16     ~~10855. This part shall remain operative only until January 1,~~  
17 ~~1993, except that, if an agricultural water supplier fails to submit~~  
18 ~~its information report or agricultural water management plan prior~~  
19 ~~to January 1, 1993, this part shall remain operative with respect~~  
20 ~~to that supplier until it has submitted its report or plan, or both.~~

21     *SEC. 29. Section 10855 is added to the Water Code, to read:*

22     *10855. Water use efficiency and local water resources*  
23 *management measures adopted and implemented pursuant to this*  
24 *part are water conservation measures subject to the protections*  
25 *provided under Section 1011.*

26  
27  
28     CORRECTIONS:

29     Text—Page 10.  
30